

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, October 5, 2016

ACTION ITEMS:

1. Minutes of September 21, Worksession.

Action: Approved, (SBB/JHP, 5-0).

2. **CBA-2643, Petition of Audubon Naturalist Society** (Eleemosynary and Philanthropic Institution). Letters to the Board from Janet B. Rutsch and Thomas A. Gilday opposing the administrative modification previously granted, and requesting a public hearing.

Action: Suspended the Administrative Modification in part and voted to hold a Public Hearing, (JHP/SBB, 5-0).

3. **CBA-2857, Petition of Humble Oil and Refining** (Automobile Filling station). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting that this special exception be revoked as abandoned. Ms. Vargas indicates that there is currently a dental practice on site, and includes confirmation of the abandonment from the property manager.

Action: Revoked the special exception as abandoned, (ESR/BG, 5-0).

4. **S-382-D, Petition of American Oil Company** (Automobile Filling Station). Letter to the Board from Jody S. Kline, Esquire, requesting a transfer and administrative modification of this special exception.

Action: Granted the transfer and modification of the special exception, (SBB/BG, 5-0).

- 5 **S-596, Petition of East Gate Recreation Association, Inc.** (Community Swimming Pool). Letter to the Board from Cathy G. Borten, Esquire, requesting an administrative modification of the special exception to allow the installation of a telecommunications tower, which Ms. Borten indicates will be the subject of a new conditional use application.

Action: Referred administrative modification to the Hearing Examiner for consideration in connection with OZAH Case No. T-17-01. (JHP/BG, 5-0).

PENDING ITEMS:

6. **CBA-2047, Petition of Potomac Place Limited Partnership** (Off-street Parking). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, in response to BOA Resolution of November 19, 2015. Item deferred for additional information, (consensus). [W/S: 1/6/16].
7. **CBA-1730, Petition of Stanley Rakusin and Arthur P. Becker** (Apartment Hotel). Letter to the Board from Robert R. Harris, Esquire, requesting reconsideration of the Board's revocation of special exception CBA-1730, and asking that the special exception be reinstated. Item deferred (consensus). [W/S: 4/27/16].
8. **S-1750, Petition of Optima Learning Systems, LLC** (Child Day Care Center). Letter to the Board from Beenish Siddique requesting an administrative modification of this special exception. [Large Exhibits: floor plans]. Item deferred (consensus). [W/S: 9/7/16].
9. **S-2250, S-1211, S-1211-B, Petition of KCJ Properties, LLC, and O.G. Limited Partnership** (Private Educational Institution). Letter to the Board from Joyce Saadi, requesting reconsideration of the Board's decision dated July 29, 2016, which modified S-2250 and revoked S-1211 and S-1211-B, or in the alternative, a hearing. Item deferred (consensus). [W/S: 9/7/16].

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